

MEMORANDUM

SUBJECT: Inter-Office Staff Call on Hydraulic Fracturing Updates

FROM: Patrick M. Kelly
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TO: Sandra Connors, Betsy Devlin, Ross Elliott, ORCR Oil and Gas Team

DATE: December 12, 2011

The information discussed in hydraulic fracturing staff call is meant to be deliberative and not to be shared outside EPA.

At 1:00 PM on Tuesday, December 13, 2011, I participated in a staff conference call concerning updates to activities from various EPA offices, both in HQ and Regions 2, 3, 6, and 8. This is a summary of the conference call.

Ex. 5 - Deliberative and not responsive

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Dimick, PA Contamination Case

- Residents of Dimick, PA not satisfied with state settlement with drillers - treatment systems purported to not be reliable
- Region 3 requested information concerning similar cases in other regions
- Region 6 – Case in East Texas in which water was supplied to residents for approximately one year following the reporting of contaminated groundwater
- Region 3 is currently preparing an options paper for Dimick case
- Now meeting with PA DEP to provide new data
 - Determine if PA DEP, with availability of new data, wants to take another action
 - Current PA DEP position is that since the settlement has been reached, the issue is considered resolved
- Region continues to collect data or to compel the driller to collect data
- Continues to provide water to local residents or to compel driller to provide water
- Region investigating the use of diesel fluid in fracking
- Investigating current authorities for corrective action: CERCLA, RCRA, SDWA
- Call tomorrow on the case with Bob Sussman et al.